

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

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FILED
U.S. DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA, FLORIDA

UNITED STATES OF AMERICA

v.

Case No. 8:03-cr-77-T-30TBM

SAMI AMIN AL-ARIAN
SAMEEH HAMMOUDEH
GHASSAN ZAYED BALLUT
HATIM NAJI FARIZ

PROTECTIVE ORDER

This matter comes before the Court upon the Government's Motion for Protective Order (Dkt. #258) to prevent the unauthorized disclosure or dissemination of certain information and documents which will be reviewed by or made available to, or are otherwise in the possession of, the Defendants and/or defense counsel in this case.

Pursuant to the authority granted under Rule 16(d) of the Federal Rules of Criminal Procedure and the general supervisory authority of the Court, it is

HEREBY ORDERED:

1. This Order pertains to all declassified recorded conversations, messages and facsimiles, and any summaries or transcripts thereof, which were a product of FISA-authorized interceptions involving Defendants Sami Amin Al-Arian, Sameeh Hammoudeh, Hatim Naji Fariz and Ramaden Abdullah Shallah and may be provided by the Government to defense counsel as party of discovery in this case. The recorded conversations, messages

and facsimiles, and any summaries of transcripts thereof, are herein collectively referred to in this Order as the "FISA intercepts."

2. No person shall disclose any of the FISA intercepts to any person other than Defendants, their defense counsel, witnesses being interviewed or prepared for trial, attorneys who are members of the Florida Bar or Federal Bars in Florida and assisting in preparation for trial, law clerks, paralegals, secretaries, translators, technical and other experts, and investigators involved in the representation of the Defendants in this case.

3. The FISA intercepts, or any copies thereof, are now and will forever remain the property of the United States Government. Defense counsel will return the FISA intercepts, and all copies thereof, to the Government at the conclusion of the case.

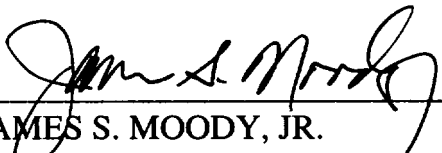
4. Defense counsel will store the FISA intercepts in a secure place and will use reasonable care to insure that they are not disclosed to third persons in violation of this Order.

5. If Defendants or defense counsel disclose the contents of or release custody of any of the FISA intercepts, or copies thereof, to any person described in paragraph (2), they shall provide such recipients with copies of this Protective Order and advise that person that the FISA intercepts are the property of the United States Government and that an unauthorized use may constitute a violation of law and/or contempt of Court.

6. Nothing herein constitutes a waiver of any right of any Defendant, nor does anything herein restrict in any way the right of the defense to use the FISA intercepts in connection with any pleading or proceeding in this case.

7. A copy of this Order shall be issued forthwith to counsel for each Defendant, who shall be responsible for advising his or her respective Defendant, defense counsel employees and other members of the defense team, and defense witnesses of the contents of this Order.

DONE and **ORDERED** in Tampa, Florida on this 12 day of September, 2003.



JAMES S. MOODY, JR.
UNITED STATES DISTRICT JUDGE

Copies furnished to:
Counsel/Parties of Record

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F I L E C O P Y

Date Printed: 09/15/2003

QX

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